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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 DAVID SANTOYO,

12 Plaintiff,

13 vs.

14 MANUEL SOTO, JR. et al.,

15 Defendants.

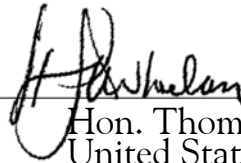
CASE NO. 08-CV-1000 W (BLM)

ORDER TAKING
DEFENDANT'S MOTION TO
DISMISS OFF CALENDAR
(Doc. No. 3)

16 On July 14, 2008 Defendant Manuel Soto, Jr. ("Defendant") moved to dismiss
17 this case for lack of subject matter jurisdiction. (Doc. No. 3.) On August 13, 2008
18 Defendant submitted a notice of settlement and requested that the Court take his
19 pending motion to dismiss off calendar pending final disposition of Plaintiff David
20 Santoyo's claims. (Doc. No. 5.) Good cause showing, the Court hereby **ORDERS** that
21 Defendant's motion be taken off calendar. The case shall remain open pending notice
22 or joint motion of final settlement.

23 **IT IS SO ORDERED.**

24 DATED: August 13, 2008

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27 Hon. Thomas J. Whelan
28 United States District Judge